


# RETURN TO EPA, PMD-7

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	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b>  <b>Grant Agreement</b>		ASSISTANCE ID NO.			DATE OF AWARD <b>JUL 25 2005</b> MAILING DATE <b>AUG 01 2005</b> ACH#
			PRG	DOC ID	AMEND#	
			C9 -	96905101	- 1	
			TYPE OF ACTION Augmentation: Increase			
RECIPIENT TYPE: Indian Tribe			PAYMENT METHOD: Advance			
RECIPIENT: Washoe Tribe of NV & CA 919 Highway 395 South Gardnerville, NV 89410 EIN: 88-0120754			Send Payment Request to: Las Vegas Finance Center, Peyton Keese; PH: 702-798-2453, FAX: 702-798-2423			
PROJECT MANAGER Marie Barry 919 Highway 395 South Gardnerville, NV 89410 E-Mail: Phone: 775-265-8682			EPA PROJECT OFFICER Tiffany Eastman 75 Hawthorne Street, WTR-10 San Francisco, CA 94105 E-Mail: Eastman.Tiffany@epamail.epa.gov Phone: 415-972-3404			EPA GRANT SPECIALIST GwenL Brown Grants Management Office, PMD-7 E-Mail: Brown.GwenL@epamail.epa.gov Phone: 415-972-3661
PROJECT TITLE AND EXPLANATION OF CHANGES Nonpoint Source Management Program - Expand Tribal Program & Erosion Control Project  This amendment increases the EPA assistance amount by \$180,000. The revised EPA assistance amount is \$497,298. This project will reduce water pollution through streambank erosion control, streambank stabilization, and increase public knowledge of water pollution on Washoe Tribe of Nevada and California reservation.						
BUDGET PERIOD 09/01/2004 - 03/31/2007		PROJECT PERIOD 09/01/2004 - 03/31/2007		TOTAL BUDGET PERIOD COST \$552,553.00		TOTAL PROJECT PERIOD COST \$552,553.00
NOTE: The Agreement must be completed in duplicate and the Original returned to the appropriate Grants Management Office listed below, within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. Receipt of a written refusal or failure to return the properly executed document within the prescribed time, may result in the withdrawal of the offer by the Agency. Any change to the Agreement by the Recipient subsequent to the document being signed by the EPA Award Official, which the Award Official determines to materially alter the Agreement, shall void the Agreement.						
OFFER AND ACCEPTANCE						
The United States, acting by and through the U.S. Environmental Protection Agency (EPA), hereby offers Assistance/Amendment to the <u>Washoe Tribe of NV &amp; CA</u> for <u>90.00</u> % of all approved costs incurred up to and not exceeding <u>\$497,298</u> for the support of approved budget period effort described in application (including all application modifications) cited in the Project Title and Description above, signed <u>07/26/2004</u> included herein by reference.						
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)				AWARD APPROVAL OFFICE		
ORGANIZATION / ADDRESS U.S. EPA, Region 9 Grants Management Office, PMD-7 75 Hawthorne Street San Francisco, CA 94105				ORGANIZATION / ADDRESS U.S. EPA, Region 9 Tribal Office, Water Division 75 Hawthorne Street San Francisco, CA 94105		
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY						
SIGNATURE OF AWARD OFFICIAL <i>Alexis Strauss</i>		TYPED NAME AND TITLE Alexis Strauss, Director - Water Division			DATE <b>JUL 25 2005</b>	
This agreement is subject to applicable U.S. Environmental Protection Agency statutory provisions and assistance regulations. In accepting this award or amendment and any payments made pursuant thereto, (1) the undersigned represents that he is duly authorized to act on behalf of the recipient organization, and (2) the recipient agrees (a) that the award is subject to the applicable provisions of 40 CFR Chapter 1, Subchapter B and of the provisions of this agreement (and all attachments), and (b) that acceptance of any payments constitutes an agreement by the payee that the amounts, if any found by EPA to have been overpaid will be refunded or credited in full to EPA.						
SIGNATURE <i>A. Brian Wallace</i>				BY AND ON BEHALF OF THE DESIGNATED RECIPIENT ORGANIZATION		
TYPED NAME AND TITLE A. Brian Wallace, Tribal Chairman				DATE <b>8/1/05</b>		

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## EPA Funding Information

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FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 317,298	\$ 180,000	\$ 497,298
EPA In-Kind Amount	\$ 0	\$	\$ 0
Unexpended Prior Year Balance	\$ 0	\$	\$ 0
Other Federal Funds	\$ 0	\$	\$ 0
Recipient Contribution	\$ 35,255	\$ 20,000	\$ 55,255
State Contribution	\$ 0	\$	\$ 0
Local Contribution	\$ 0	\$	\$ 0
Other Contribution	\$ 0	\$	\$ 0
Allowable Project Cost	\$ 352,553	\$ 200,000	\$ 552,553

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.460 - Nonpoint Source Implementation	Clean Water Act: Sec. 319(h)	40 CFR PTS 31 & 35 SUBPT B

Fiscal									
Site Name	DCN	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
-	W0E043	05	E1C	09LA0D5	202B01E	41.83			11,002
-	W0E043	05	E1	09LA0D5	202B01E	41.83			168,998
									180,000

<b>Table A - Object Class Category (Non-construction)</b>	<b>Total Approved Allowable Budget Period Cost</b>
<b>1. Personnel</b>	<b>\$202,709</b>
<b>2. Fringe Benefits</b>	<b>\$42,353</b>
<b>3. Travel</b>	<b>\$5,101</b>
<b>4. Equipment</b>	<b>\$26,575</b>
<b>5. Supplies</b>	<b>\$7,485</b>
<b>6. Contractual</b>	<b>\$148,465</b>
<b>7. Construction</b>	<b>\$0</b>
<b>8. Other</b>	<b>\$89,059</b>
<b>9. Total Direct Charges</b>	<b>\$521,747</b>
<b>10. Indirect Costs: % Base <u>See award condition.</u></b>	<b>\$30,806</b>
<b>11. Total (Share: Recipient <u>10.00</u> % Federal <u>90.00</u> %.)</b>	<b>\$552,553</b>
<b>12. Total Approved Assistance Amount</b>	<b>\$497,298</b>
<b>13. Program Income</b>	<b>\$0</b>

Detailed Table B Budget Page: 1

<b>Table B - Program Element Classification (Non-construction)</b>	<b>Total Approved Allowable Budget Period Cost</b>
<b>1. This approval reduces the Tribe's non-federal match from 40% to 10% for this assistance agreement.</b>	<b>\$</b>
<b>2.</b>	<b>\$</b>
<b>3.</b>	<b>\$</b>
<b>4.</b>	<b>\$</b>
<b>5.</b>	<b>\$</b>
<b>6.</b>	<b>\$</b>
<b>7.</b>	<b>\$</b>
<b>8.</b>	<b>\$</b>
<b>9.</b>	<b>\$</b>
<b>10.</b>	<b>\$</b>
<b>11. Total (Share: Recip % Fed %)</b>	<b>\$</b>
<b>12. Total Approved Assistance Amount</b>	<b>\$</b>

### **Administrative Conditions**

Administrative conditions 2-5, 7-9 and 11 of initial assistance agreement awarded on September 9, 2004 remains the same. Administrative conditions 1, 6 and 10 have been revised. Programmatic conditions 12-13 and 15 remain the same. Programmatic condition 14 has been revised. See below.

1. An interim Financial Status Report (FSR), Standard Form 269A (Rev. 7/97), covering the period from "project/budget period start date" to June 30 of each calendar year shall be submitted to the Grants Management Office, PMD-7, no later than September 30 of the same calendar year. The final FSR covering the entire project period shall be submitted to the U.S. EPA Las Vegas Finance Center PO Box 98515 Las Vegas, NV 89193-8515 within 90 days after the end of the project period according to the recipients respective Code of Federal Regulations Part 31.23(b)).
6. The recipient will not charge or claim for reimbursement any indirect costs unless a current indirect cost rate proposal covering the time period of the costs being claimed for reimbursement is approved by the Department of Interior (DOI).
10. "Payment to consultants. Per 40 CFR Part 31.36(j), EPA's participation in the salary rate (excluding overhead and travel) paid to individual consultants retained by recipients or by a recipient's contractors or subcontractors shall be limited to the maximum daily rate for a Level IV of the Executive Schedule, to be adjusted annually. This limit applies to consultation services of designated individuals with specialized skills and if the terms of the contract provide the recipient with responsibility for the selection, direction, and control of the individuals who will be providing services under the contract at an hourly or daily rate of compensation. As of January 1, 2005, the rate is \$537.76 per day and \$67.22 per hour. This rate does not include overhead or travel costs and the recipient may pay these in accordance with its normal travel practices.

Subagreements with firms or individuals for services which are awarded using the procurement requirements in 40 CFR Parts 30 or 31, as applicable, are not affected by this limitation unless the terms of the contract provide the recipient with responsibility for the selection, direction, and control of the individuals who will be providing services under the contract at an hourly or daily rate of compensation. See 40 CFR Part 31.36(j)(2) or Part 30.27(b)."

### **Programmatic Conditions**

14. **RECIPIENT PERFORMANCE REPORTING:** The grantee shall submit to the EPA Project Officer quarterly reports to self-evaluate and to joint-evaluate annual performance under the grant, including:

- Status of each workplan, goal, task, deliverable;
- Status of expenditures for reporting period;
- Summary of accomplishments including the reporting of environmental results and discussion of problems impacting or expected to impact performance;
- Tasks not on schedule and proposed dates of completion.

Each report is due thirty (30) days after the end of each Federal fiscal quarter (ie., 30th day of January, April, July, and October).

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